

# FINAL BILL REPORT

## SHB 2345

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Synopsis as Enacted

**Brief Description:** Requiring the secretary of social and health services to adopt rules for oversight and operation of the sexually violent predator program.

**Sponsors:** By House Committee on Criminal Justice & Corrections (originally sponsored by Representatives O'Brien, Ballasiotes, Ruderman, Hurst and Lovick; by request of Department of Social and Health Services).

**House Committee on Criminal Justice & Corrections**  
**Senate Committee on Human Services & Corrections**

### **Background:**

A sexually violent predator may be civilly committed upon expiration of his or her criminal sentence. A sexually violent predator is a person who has either been convicted of a crime of sexual violence or been charged with such a crime and found not guilty by reason of insanity or found to be incompetent to stand trial, and who suffers from a mental abnormality or personality disorder that makes the person likely to engage in predatory acts of sexual violence if not confined to a secure facility. A sexually violent predator is committed to the custody of the Department of Social and Health Services (DSHS) for control, care, and treatment until the person's mental disorder has so changed that he or she is safe either to be released or to be transferred to a less restrictive alternative. Sexually violent predators are currently housed at the Special Commitment Center on the grounds of the McNeil Island Corrections Center.

The secretary of the DSHS is authorized to promulgate rules regarding specific aspects of the sexually violent predator system, such as rules establishing the professional qualifications necessary for persons conducting evaluations of whether an offender is a sexually violent predator and rules regarding escorted leave. The secretary may not adopt rules without specific statutory authority.

### **Summary of Bill:**

The secretary of the DSHS is required to adopt rules under the Administrative Procedure Act for the oversight and operation of the sexually violent predator commitment law. The rules must include provisions for an annual inspection of the Special Commitment Center and requirements for treatment plans and the retention of records.

**Votes on Final Passage:**

House 97 0

Senate 44 0

**Effective:** March 22, 2000